



Environmental and Public Protection Cabinet
Department for Environmental Protection
Division of Water
14 Reilly Road
Frankfort, Kentucky

Kentucky Pollutant Discharge Elimination System

Public Notice No. 2005-33

Date of Notice: November 18, 2005

Comments Due By: December 19, 2005

The Kentucky Department for Environmental Protection, Division of Water proposes to issue, modify or terminate Kentucky Pollutant Discharge Elimination System (KPDES) permits for the treated wastewater discharges listed below.

KPDES COAL GENERAL PERMIT COVERAGE

1. **BLUE GEM MINING COMPANY, INCORPORATED**, Intersection of Kentucky Routes 904 and 92, Nevisdale, Kentucky. KPDES No. KYG040122. This permit action involves a new source discharge of coal mine drainage and storm water runoff from a coal surface mining operation that enters Bennett's Branch in Whitley County. Permit Writer: Lori Veal.
2. **CAM-KENTUCKY, LLC**, Brushy Fork Road and Kentucky Route 194, McCombs, Kentucky. KPDES No. KYG045567. This permit action involves a new source discharge of coal mine drainage and storm water runoff from a coal surface mining operation that enters Bevin's Branch, an unnamed tributary of Bevin's Branch, Johns Branch and Lick Branch in Pike County. Permit Writer: Lori Veal.
3. **EAST KENTUCKY EXCAVATION, INCORPORATED**, Intersection of Kentucky Route 825 and Mill Creek Road. KPDES No. KYG046129. This permit action involves a new source discharge of coal mine drainage and storm water runoff from a coal surface mining operation that enters Mill Creek and Jenny's Creek in Johnson County. Permit Writer: Lori Veal.
4. **FOUR STAR RESOURCES, LLC**, Intersection of Kentucky Route 1137 and US Highway 421, Cawood, Kentucky. KPDES No. KYG046127. This permit action involves a new source discharge of coal mine drainage and storm water runoff from a coal surface mining operation that enters Long Branch in Harlan County. Permit Writer: Lori Veal.
5. **IKERD-BANDY COMPANY, INCORPORATED**, Intersection of Kentucky Routes 2446 and 1067, Dice, Kentucky. KPDES No. KYG043989. This permit action involves a new source discharge of coal mine drainage and storm water runoff from a coal surface mining operation that enters Lost Creek, Big Branch and Francis Branch in Perry County. Permit Writer: Lori Veal.
6. **MOUNTAIN FURY, LLC**, Near intersection of Flat Gap Road and White Rock Lane, Butterfly, Kentucky. KPDES No. KYG046132. This permit action involves a new source discharge of coal mine drainage and storm water runoff from a coal surface mining operation that enters an unnamed tributary of Lower Second Creek in Perry County. Permit Writer: Lori Veal.
7. **MOUNTAIN FURY, LLC**, Near intersection of Ball Road and Kentucky Route 577, Sextons Creek, Kentucky. KPDES No. KYG046133. This permit action involves a new source discharge of coal mine drainage and storm water runoff from a coal surface mining operation that enters an unnamed tributary of Sexton Creek in Clay County. Permit Writer: Lori Veal.
8. **NATIONAL COAL CORPORATION**, Near intersection of Big Run County Road and Kentucky Route 221, Saylor, Kentucky. KPDES No. KYG046131. This permit action involves a new source discharge of coal mine drainage and storm water runoff from a coal surface mining operation that enters Salt Trace Branch in Harlan County. Permit Writer: Lori Veal.
9. **THE ELK HORN COAL COMPANY, INCORPORATED**, Intersection of Kentucky Routes 979 and 122, Hi Hat, Kentucky. KPDES No. KYG046128. This permit action involves a new source discharge of coal mine drainage and storm water runoff from a coal surface mining operation that enters Newman Branch in Floyd County. Permit Writer: Lori Veal.

Commonwealth of Kentucky Antidegradation Statement

Antidegradation determinations have been made in regard to the permits referenced in this Public Notice. Any information concerning the foundation of the Division's position as to these determinations is addressed in the permits' Statement of Basis or Fact Sheets and all supporting documentation is available in the permit files maintained at the Division central office in Frankfort, Kentucky. Kentucky's antidegradation policy is found in Regulation 401 KAR 5:029, Section 1. Antidegradation policy implementation methodology is defined in Regulation 401 KAR 5:030. The primary purposes of these regulations is to safeguard the surface waters of the Commonwealth for their designated uses, to prevent the creation of any new pollution of these waters, and to abate any existing pollution.

GENERAL INFORMATION

The KPDES program issues permits for all treatment facilities which discharge, or propose to discharge, to waters of the Commonwealth which are classified for domestic water supply, for fish and aquatic life, and for recreation. Proposed KPDES permits are written to protect the classified uses of receiving waters and contain limitations on the amounts of pollutants to be discharged and other conditions. The proposed permits are drafted in accordance with applicable provisions of the Kentucky Revised Statutes and appropriate regulations. The permit conditions are tentative and open to comment from the public. Persons wishing to comment upon or object to the proposed action (permit issuance, modification or termination) or the proposed permit conditions are invited to submit comments to the Division at the following address: **Department for Environmental Protection, Division of Water, KPDES Branch, Frankfort Office Park, 14 Reilly Road, Frankfort, Kentucky 40601, Attention: Inventory & Data Management Section.** The comments must be received by the comment due date stated at the beginning of this notice. The applicant's name and KPDES number should be included in the comments.

Interested persons may also request that the Director of the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why a hearing is warranted. When there is public interest, the Director will hold a public hearing pursuant to 401 KAR 5:075, Section 7. After consideration of comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State Acts and appropriate regulations, the Director of the Division will make a determination regarding final permit action.

Permit applications, draft permits, fact sheets or statements of basis, and additional information are available by contacting the Division of Water. Business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, except for holidays. A copy machine is available for public use at 10 cents per page. Three (3) days advance notice may be required for inspection of files. **Please bring the preceding to the attention of persons whom you know will be interested.**

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